

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 12-10312-RWZ

ANTHONY MARTIN

v.

GARY RODEN,
Superintendent

ORDER

October 22, 2012

ZOBEL, D.J.

Respondent in this proceeding for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 has moved to dismiss the petition for failure to exhaust state court remedies. His brief in support of this motion also covers his opposition to petitioner's earlier motion to hold the petition in abeyance pending exhaustion. Petitioner has already replied to respondent's opposition to the motion to stay this case; he shall file any opposition to the motion to dismiss by December 3, 2012. The court will then decide both motions on the papers.

October 22, 2012

DATE

/s/Rya W. Zobel

RYA W. ZOBEL

UNITED STATES DISTRICT JUDGE